

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	CASE NO. 04-10307-WGY
)	
STEPHEN DEROSA)	
_____)	

**AFFIDAVIT OF EUGENE PATRICK McCANN IN SUPPORT OF THE
ASSENTED TO MOTION OF THE ACCUSED CONTINUE DETENTION HEARING**

I, Eugene Patrick McCann, being under oath, do depose and state as follows:

1. I am an attorney duly licensed to practice law in this Court.
2. I am the appointed counsel of record for Stephen DeRosa.
3. I have personal knowledge of all facts set forth in this Affidavit.
4. The requested continuance is needed due to my schedule.
5. Immediately following the status conference on August 3, 2005, I was asked by my largest and oldest client to attend various meetings at its offices in Brooklyn, New York all day on August 11, 2005.
6. I contacted AUSA Paul R. Moore regarding this scheduling conflict, and AUSA Moore agreed to continue the Detention Hearing until the afternoon of August 12, 2005.
7. If the Court grants the requested continuance, Mr. DeRosa will waive his rights to a speedy trial under 18 U.S.C. 3161 for the period of August 11, 2005 through August 12, 2005.
8. The requested continuance is for good cause, in the interests of justice and will not unduly prejudice Mr. DeRosa or the Government.

Signed under the pains and penalties of perjury this 4th day of August, 2005.

/s/ Eugene Patrick McCann

Eugene Patrick McCann, BBO #327400
Manzi and McCann
59 Jackson Street
Lawrence, Massachusetts 01840
Tel. (978) 686-5664

CERTIFICATE OF SERVICE

I, Eugene Patrick McCann, counsel for Stephen DeRosa, certify under the pains and penalties of perjury, that I have on this 4th day of August, 2005, served a copy of the foregoing to be delivered by electronic filing to:

AUSA Paul R. Moore
Office of the United States Attorney
U.S. Courthouse, Suite 9200
One Courthouse Way
Boston, Massachusetts 02210

/s/ Eugene Patrick McCann

Eugene Patrick McCann